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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORLAND DIVISION

BENJAMIN MCCORMICK,

Plaintiff,

vs.

BUREAU OF LAND MANAGEMENT,

Defendant.

Case No. 3:15-cv-01363-MO

PLAINTIFF'S TENTH STATUS REPORT

Pursuant to the Court's March 2, 2018 Scheduling Order (Dkt. 29), Plaintiff provides the following status of the related underlying case, *Benjamin McCormick v. State of Oregon*, Court of Appeals for the State of Oregon, Case No. A159931:

1. **Opening Brief Filed:** December 8, 2015.
2. **Answering Brief Filed:** March 8, 2016.
3. **Reply Brief Filed:** May 24, 2016.
4. **Oregon Court of Appeals Oral Argument:** October 11, 2016.
5. **Additional Authorities Filed:** on or about November 22, 2016.

6. **OTHER:** The Oregon Court of Appeals has yet to issue its decision in the related underlying case. The parties still anticipate that, given the novelty and complexity of the issue, the Oregon Court of Appeals would need quite a bit of time post-argument to issue its decision. Moreover, we still believe that the Court of Appeals decision will likely be petitioned to the Oregon Supreme Court for review. Given the importance and novelty of the underlying issues, Plaintiff anticipates that the Oregon Supreme Court will grant review.

If the Court needs any further information as to the above, counsel for Plaintiff would be happy to provide it.

Dated: March 1, 2018.

DWYER WILLIAMS
DRETKE ATTORNEYS, P.C.

By: s/ Tim Williams
Tim Williams, OSB No. 034940
Of Attorneys for Plaintiff
Trial Attorneys: Same